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November 10, 2008

Hon. Nicholas Garaufis  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
New York, NY 11201

Re: Request for One Consolidated Motion  
M&T Mortgage Corp. v. White, White v. Better  
Homes Depot, et al., 04-cv-4775 (NG)(VVP) and  
Council v. Better Homes Depot, et al, 04-cv-5620  
(NG)(VVP)

Dear Judge Garaufis:

This office represents the defendant/third party plaintiff, Leo White and the plaintiffs Linda and Kimberly Council (hereinafter, the “plaintiffs”). Pursuant to Your Honor’s Individual Rules, paragraph III(C), memoranda of law are limited to 25 pages. The undersigned respectfully request permission to submit one memorandum of law with a 50 page limit for the two above referenced cases rather than two memoranda of law each with a 25 page limit.

We base this request on the fact that the two above mentioned cases were consolidated for discovery purposes, and each memorandum will be relying on a common appendix of exhibits. Given the length of discovery in this case, the exhibits will be extensive, and referencing two separate sets of exhibits would be unnecessarily burdensome on the Court as well as all the parties. Furthermore, submitting one consolidated memorandum of law rather

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than two will eliminate many redundancies within the memorandum itself.

Thank you for your consideration of our request.

Very truly yours,

Brooklyn Legal Services Corp. A

/s/

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